

## STATEMENT OF BASIS

as required by LAC 33:IX.3109, for draft Louisiana Pollutant Discharge Elimination System Permit No. LA0087742; AI 18101; PER20070001 to discharge to waters of the State of Louisiana as per LAC 33:IX.2311.

The permitting authority for the Louisiana Pollutant Discharge Elimination System (LPDES) is:

Louisiana Department of Environmental Quality  
Office of Environmental Services  
P. O. Box 4313  
Baton Rouge, Louisiana 70821-4313

- I.       **THE APPLICANT IS:** Village of Chatagnier  
Chatagnier Sewer System  
P.O. Box 70  
Chataignier, LA 70524
  
- II.       **PREPARED BY:** Christopher K. Bertrand
  
- DATE PREPARED:** June 8, 2007
  
- III.      **PERMIT ACTION:** reissue LPDES permit LA0087742, AI 18101; PER20070001
  
- LPDES application received: May 9, 2007,
  
- EPA has not retained enforcement authority.
- LPDES permit issued:     January 1, 2003
- LPDES permit expired:    December 31, 2007

Due to non-compliance issues this Department believes this facility should be issued an individual LPDES permit in accordance with LAC 33:IX.2515.B.3.a.i, which states that the state administrative authority may require any discharger authorized by a general permit to apply for and obtain an individual LPDES permit. This section also states that dischargers or treatment works treating domestic sewage that is not in compliance with the conditions of the general LPDES permit may require an individual LPDES permit.

### IV.       **FACILITY INFORMATION:**

- A.       The application is for the discharge of treated sanitary wastewater from an existing publicly owned treatment works serving a subdivision and an apartment complex.
  
  - B.       The permit application did not indicate the receipt of industrial wastewater.
  
  - C.       The facility is located on the west side of Rozas Road, north of LA Hwy 29 in Chataignier, Evangeline Parish.
  
  - D.       The treatment facility consists of a modular concrete extended aeration plant.
  
  - E.       Outfall 001
- |                     |  |
|---------------------|--|
| Discharge Location: | Latitude 30° 34' 15" North<br>Longitude 92° 18' 29" West |
| Description:        | treated sanitary wastewater                              |
| Design Capacity:    | 0.05 MGD   |

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V. RECEIVING WATERS:

The discharge is into an unnamed ditch, thence into Bayou Doza, thence into Bayou Mallet in segment 050103 of the Mermentau River Basin. This segment is not listed on the 303(d) list of impaired waterbodies.

Subsegment 050103, Bayou Mallet, is not listed on LDEQ's Final 2004 303(d) list as impaired. However, subsegment 050103 was previously listed as impaired for suspended solids, turbidity, TSS/turbidity/siltation, nutrients, ammonia, DO/nutrients/ammonia, and phosphorus, for which the below TMDL's have been developed. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional TMDL's and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

The following TMDL's have been established for subsegment 050103:

*Total Maximum Daily Load (TMDL) for TSS, Turbidity, and Siltation for the Mermentau River Basin including Subsegment 050103*

As per the TMDL for TSS, Turbidity, and Siltation for the Mermentau River Basin, point source loads are so small as to be insignificant, and because effective policies are in place to limit TSS discharges, no specific reductions from point sources are required. Therefore, TSS limitations shall be placed into the permit based on current state policy.

*Bayou Mallet TMDLs for Dissolved Oxygen, Nutrients, and Ammonia*

As per the Bayou Mallet TMDLs for Dissolved Oxygen, Nutrients, and Ammonia, "facilities with design flows less than 0.1 MGD do not add significant oxygen demanding load to the system." The only discharger modeled in this TMDL was the City of Eunice Sewage Treatment Plant. Therefore, based on the size and nature of this discharge, this Department believes that there is little potential for the discharge to cause or contribute to the nutrients, ammonia, and DO impairments. Therefore, limitations shall be placed into this permit based on current state policy.

*October 2000 LA TMDL Delist (Federal Register Notice: Vol. 66, Num. 66, pages 18087-18089, 4/5/2001)*

As per the October 2000 LA TMDL Delist (Federal Register Notice: Vol. 66, Num. 66, pages 18087-18089, 4/5/2001), assessment of new data and information shows this segment is meeting water quality standards for turbidity. Therefore, requirements for Turbidity will not be placed in this permit.

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The designated uses and degree of support for Segment 050103 of the Mermentau River Basin are as indicated in the table below<sup>1/</sup>:

Overall Degree of Support for Segment	Degree of Support of Each Use						
	Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
Partial Supporting	Full Supporting	Full Supporting	Not Supporting	N/A	N/A	N/A	Full Supporting

<sup>1/</sup>The designated uses and degree of support for Segment 050103 of the Mermentau River Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2004 Water Quality Management Plan, Water Quality Inventory Integrated Report, Appendix A, respectively.

#### VI. ENDANGERED SPECIES:

The receiving waterbody, Subsegment 050103 of the Mermentau River Basin, is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U. S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated September 29, 2006, from Watson (FWS) to Brown (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

#### VII. HISTORIC SITES:

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the 'Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits' no consultation with the Louisiana State Historic Preservation Officer is required.

#### VIII. PUBLIC NOTICE:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit modification and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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For additional information, contact:

Mr. Christopher K. Bertrand  
 Permits Division  
 Department of Environmental Quality  
 Office of Environmental Services  
 P. O. Box 4313  
 Baton Rouge, Louisiana 70821-4313

## IX.

**PROPOSED PERMIT LIMITS:****Final Effluent Limits:****OUTFALL 001**

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

<b>Effluent Characteristic</b>	<b>Monthly Avg. (lbs./day)</b>	<b>Monthly Avg.</b>	<b>Weekly Avg.</b>	<b>Basis</b>
BOD <sub>5</sub>	N/A	10 mg/l	15 mg/l	Limits are set in accordance the Statewide Sanitary Effluent Limitations Policy (SSELP) for facilities of this treatment type and size.
TSS	N/A	15 mg/l	23 mg/l	Since there is no numeric water quality criterion for TSS, and in accordance with the current Water Quality Management Plan, the TSS effluent limitations shall be based on a case-by-case evaluation of the treatment technology being utilized at a facility. Therefore, a Technology Based Limit has been established through Best Professional Judgement for the type of treatment technology utilized at this facility.

\*Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. LAC 33:IX.709.B references LAC 33:IX.711 which express BOD<sub>5</sub> and TSS in terms of concentration.

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**Other Effluent Limitations:****1) Fecal Coliform**

The discharge from this facility is into a water body which has a designated use of Primary Contact Recreation. According to LAC 33:IX.1113.C.5.b.i, the fecal coliform standards for this water body are 200/100 ml and 400/100 ml. Therefore, the limits of 200/100 ml (Monthly Average) and 400/100 ml (Weekly Average) are proposed as Fecal Coliform limits in the permit. These limits are being proposed through Best Professional Judgement in order to ensure that the water body standards are not exceeded, and due to the fact that existing facilities have demonstrated an ability to comply with these limitations using present available technology.

**2) pH**

According to LAC 33:IX.3705.A.1., POTW's must treat to at least secondary levels. Therefore, in accordance with LAC 33:IX.5905.C., the pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time.

**3) Solids and Foam**

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

**X.****PREVIOUS PERMITS:**

**LPDES Permit No. LA0087742:** Issued: January 1, 2003  
Expired: December 31, 2007

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Daily Avg.</u>	<u>Daily Max.</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	Report	Report	1/week	Measure
BOD <sub>5</sub>	10 mg/l	15 mg/l	1/month	Grab
TSS	15 mg/l	23 mg/l	1/month	Grab
Fecal Coliform Colonies	200	400	1/month	Grab

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**XI. ENFORCEMENT AND SURVEILLANCE ACTIONS:****A) Inspections**

A review of the files indicates the following inspections were performed during the period beginning January 1, 2005, and ending May 29, 2007, for this facility.

Date – May 30, 2006

Inspector - LDEQ

Findings and/or Violations -

1. The facility was discharging.
2. Effluent was clear and the receiving waters were inspected.
3. The blower motors were operational.
4. Chlorine tablets were in the contact chamber.
5. The flow meter was not operational.
6. The village plans to possibly install a V-Notch Weir to measure flow.

**B) Compliance and/or Administrative Orders**

A review of the files indicates that there are no recent enforcement actions administered against this facility.

**C) DMR Review**

A review of the discharge monitoring reports for the period beginning January 1, 2005, through December 31, 2006 has revealed the following violations:

<u>Effluent Characteristic</u>	<u>Number of Violations</u>
BOD <sub>5</sub> - (concentration)	8
TSS - (concentration)	22
Fecal Coliform	0
pH	0

<u>Parameter</u>	<u>Outfall</u>	<u>Period of Excursion</u>	<u>Permit Limit</u>	<u>Reported Quantity</u>
TSS (Monthly Average)	001	January 2005	15 mg/l	21 mg/l
TSS (Monthly Average)	001	February 2005	15 mg/l	19 mg/l
TSS (Monthly Average)	001	April 2005	15 mg/l	32 mg/l
TSS (Weekly Average)	001	April 2005	23 mg/l	32 mg/l
TSS (Monthly Average)	001	June 2005	15 mg/l	43 mg/l
TSS (Weekly Average)	001	June 2005	23 mg/l	43 mg/l
TSS (Monthly Average)	001	July 2005	15 mg/l	20 mg/l
TSS (Monthly Average)	001	October 2005	15 mg/l	28 mg/l
TSS (Weeklyly Average)	001	October 2005	23 mg/l	28 mg/l
TSS (Monthly Average)	001	December 2005	15 mg/l	32 mg/l
TSS (Weekly Average)	001	December 2005	23 mg/l	32 mg/l
BOD5 (Monthly Average)	001	January 2006	10 mg/l	17 mg/l
BOD5 (Weekly Average)	001	January 2006	15 mg/l	17 mg/l
TSS (Monthly Average)	001	January 2006	15 mg/l	28 mg/l
TSS (Weekly Average)	001	January 2006	23 mg/l	28 mg/l
TSS (Monthly Average)	001	February 2006	15 mg/l	44 mg/l
TSS (Weekly Average)	001	February 2006	23 mg/l	44 mg/l
BOD5 (Monthly Average)	001	March 2006	10 mg/l	32 mg/l

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BOD5 (Weekly Average)	001	March 2006	15 mg/l	32 mg/l
TSS (Monthly Average)	001	March 2006	15 mg/l	36 mg/l
TSS (Weekly Average)	001	March 2006	23 mg/l	36 mg/l
BOD5 (Monthly Average)	001	April 2006	10 mg/l	51 mg/l
BOD5 (Weekly Average)	001	April 2006	15 mg/l	51 mg/l
TSS (Monthly Average)	001	April 2006	15 mg/l	28 mg/l
TSS (Weekly Average)	001	April 2006	23 mg/l	28 mg/l
TSS (Monthly Average)	001	July 2006	15 mg/l	25 mg/l
TSS (Weekly Average)	001	July 2006	23 mg/l	25 mg/l
BOD5 (Monthly Average)	001	August 2006	10 mg/l	17 mg/l
BOD5 (Weekly Average)	001	August 2006	15 mg/l	17 mg/l
TSS (Monthly Average)	001	December 2006	15 mg/l	16 mg/l

- The facility failed to report a flow on the following months:  
January 2005 through April 2005  
June 2005 through October 2005  
December 2005 through December 2006
- There was no Discharge Monitoring Report on file for the following months:  
May 2005  
November 2005

**XII. ADDITIONAL INFORMATION:**

The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional water quality studies and/or TMDL's. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as requested by the permittee and/or as necessary to achieve compliance with water quality standards. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

At present, the **Monitoring Requirements, Sample Types, and Frequency of Sampling** as shown in the permit are standard for facilities of flows between **0.02** and **0.10** MGD.

Effluent CharacteristicsMonitoring Requirements

<u>Measurement</u>	<u>Sample</u>
<u>Frequency</u>	<u>Type</u>

Flow	1/week	Measure
BOD <sub>5</sub>	1/month	Grab
Total Suspended Solids	1/month	Grab
Fecal Coliform Bacteria	1/month	Grab
pH	1/month	Grab

**XIII TENTATIVE DETERMINATION:**

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in this Statement of Basis.

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#### XIV

#### REFERENCES:

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 8, "Wasteload Allocations / Total Maximum Daily Loads and Effluent Limitations Policy," Louisiana Department of Environmental Quality, 2005.

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 5, "Water Quality Inventory Section 305(b) Report," Louisiana Department of Environmental Quality, 1998.

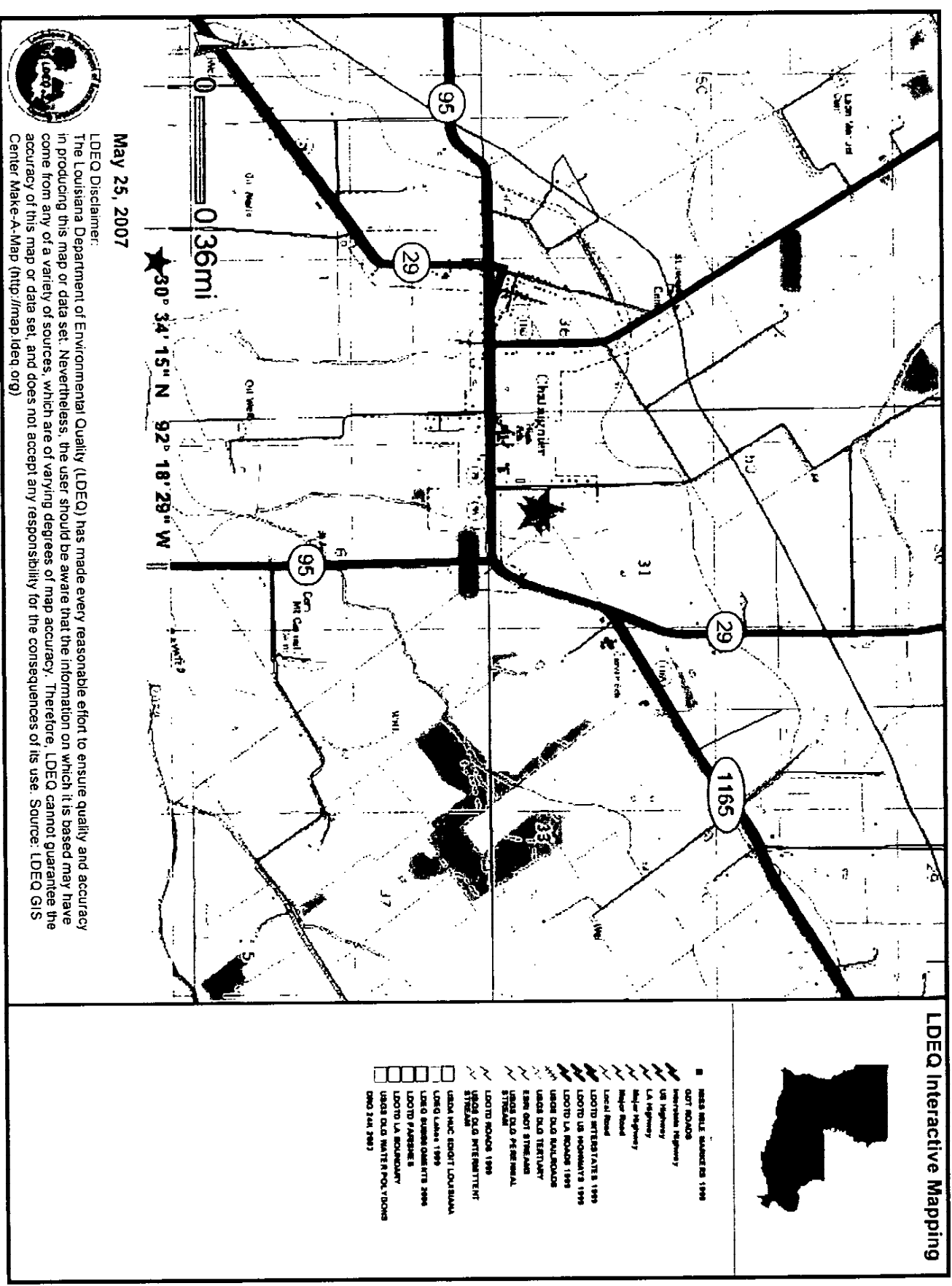
Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards," Louisiana Department of Environmental Quality, 2004.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Subpart 2 - "The LPDES Program," Louisiana Department of Environmental Quality, 2004.

Low-Flow Characteristics of Louisiana Streams, Water Resources Technical Report No. 22, United States Department of the Interior, Geological Survey, 1980.

Index to Surface Water Data in Louisiana, Water Resources Basic Records Report No. 17, United States Department of the Interior, Geological Survey, 1989.

LPDES Permit Application to Discharge Wastewater, Village of Chatagnier, Chatagnier Sewer System, May 9, 2007.



May 25, 2007

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